

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TRADESOL GROUP, LTD.

Plaintiff,

v.

VPLUS CO., *et al.*,

Defendants.

§
§
§
§
§
§
§
§
§
§

Case No. 2:21-CV-00388-JRG-RSP

JUDGMENT BY DEFAULT

For the reasons set out in the Report and Recommendation (Dkt. No. 35), recommending granting of Tradesol's Motion for Default Judgment (Dkt. No. 34), which is adopted without objections, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. Pursuant to 17 U.S.C. § 501(a), Defendants VPlus Co. and Nguyen Duy Hoat (hereinafter "Defendants") have infringed Tradesol's registered copyright to the VCE Exam Simulator (Player) Version 1.1.6 Registration Number: TX 9-018-363.

2. Pursuant to 17 U.S.C. § 504, Tradesol is entitled to actual damages in the amount of \$1,300,303.

3. Pursuant to 17 U.S.C. § 503(b) the Court **ORDERS THE IMPOUNDMENT AND DESTRUCTION** of the copies of the VCE Exam Simulator in Defendants' possession. To give effect to this order, Defendants are to provide Tradesol's counsel, within fourteen business days after the date of this Order, all purported copies of the VCE Exam Simulator software in the possession, custody, or control of Defendants and/or their agents and service providers. The infringing copies of the VCE Exam Simulator will then be destroyed upon receipt.

4. The Court hereby **PERMANENTLY RESTRAINS AND ENJOINS** Defendants, and any persons or entities acting on their behalf, from advertising, distributing, selling, or making other infringing use of Tradesol's copyrighted VCE Exam Simulator software (which includes VCE Exam Simulator Classes Version, VCE Exam Simulator Player Version, and VCE Exam Simulator Designer Version). To this end, Defendants are forever prohibited from creating new websites or registering new domain names to distribute the VCE Exam Simulator software and are further prohibited from forwarding traffic intended for the websites www.vceplus.com, www.vceplus.io, www.vceguide.com, www.vopen.io, www.vceup.com, and www.vuetut.com to any other websites.

5. The Court hereby **PERMANENTLY RESTRAINS AND ENJOINS** Defendants from transferring, selling, or deleting the offending domain names vceplus.com, vceplus.io, vceguide.com, vceup.com, vuetut.com, and vopen.io (collectively the "Domain Names"), as well as any other domain names used by Defendants to distribute infringing material ("Other Domain Names"). The Court hereby authorizes Tradesol to request that the registrars place the Domain Names and Other Domain Names in a permanent "locked" status or otherwise prevent the Domain Names and Other Domain Names from being transferred, sold, or deleted.

6. The Court further authorizes Tradesol to instruct the registrar of the domain name vopen.io to permanently disable the domain and cancel its registration. Defendants are also hereby prohibited from attempting to re-register the vopen.io domain.

7. The Court hereby **PERMANENTLY RESTRAINS AND ENJOINS** Defendants, and any persons or entities who are in active concert or participation with them,

from transferring, removing, or disposing of any infringing copies of the VCE Exam Simulator software in their possession, custody, or control. Any copies of the VCE Exam Simulator software in Defendants' possession must be transferred to Tradesol's counsel according to paragraph 3 of this Order.

8. The Court hereby orders Tradesol's \$10,000 bond deposited with the Court as security for the temporary restraining order (TRO) and preliminary injunction to be returned along with any accrued appropriate statutory interest, upon the time for a possible motion for new trial having passed.

So ORDERED and SIGNED this 9th day of July, 2024.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE